

REMARKS

1. In response to the final Office Action mailed August 25, 2005, Applicant respectfully requests reconsideration. Claims 1-29, 44-49, 51 and 53-66 were last presented for examination in this application. In the Office Action, claims 1-29, 44-49, 51 and 53-66 were rejected. By the foregoing Amendments, claims 1-65 have been canceled, claim 66 has been amended, and new claims 67-103 have been added. Thus, upon entry of this paper, claims 66-103 will be pending in this application. Of these thirty-eight (38) claims, three (3) claims (claims 66, 81, and 96) are independent. Based on the above Amendments and following Remarks, Applicant respectfully requests that all outstanding objections and rejections be reconsidered, and that they be withdrawn.

Art of Record

2. Applicant acknowledges receipt of form PTO-892 identifying additional references made of record by the Examiner.

Claim Objections

3. Claims 22 and 66 have been objected to due to various informalities. Claim 22 has been canceled rendering this objection moot. Claim 66 has been amended in accordance with the Examiner's suggestion. Applicant, therefore, respectfully requests that the Examiner reconsider and withdraw the objection to claim 66.

Claim Rejections Under 35 USC 112, second paragraph

4. The Examiner has rejected dependent claims 66 under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended claim 66 to obviate the Examiner's rejections. Applicant, accordingly, respectfully requests that the Examiner reconsider and withdraw the rejections under 35 U.S.C. 112, second paragraph.

Claim Rejections Under 35 USC 102(b)

5. Examiner has rejected independent claim 66 under 35 USC §102(b) as being anticipated over U.S. Patent No. 5,495,168 to de Vries (hereinafter, “de Vries”). Applicant respectfully disagrees.

6. Claim 66 recites, in part, “a pulse management system configured to... calculate at least one measurement statistic for [a] particular pulse measurement type, wherein the at least one measurement statistic is calculated using the generated pulse measurements of the particular pulse measurement type for at least some of the plurality of pulses.” (*See*, Applicant’s claim 66, above.)

7. De Vries discloses a system which “discerns” the amplitude minimum (MIN) and maximum (MAX) of the measured waveform and then stores those “values”. (*See*, de Vries, col. 3, ll. 51-53.) De Vries further discloses that these MIN and MAX values are data points which are used to automatically or manually scale the signal in order to make it more viewable. (*See*, de Vries, col. 3, ll. 54-63.) Thus, the MIN and MAX data values of de Vries are not calculated, but rather they are “discerned.” As such, de Vries neither teaches nor suggests calculating a measurement statistic, but instead simply discerning MIN and MAX data values.

8. Applicant, therefore, respectfully submits that de Vries neither teaches or suggests “comput[ing] at least one measurement statistic,” as recited in claim 66. Applicant, accordingly, respectfully request that the Examiner reconsider and withdraw the rejection of claim 66 for at least this reason.

9. Independent claim 81 recites, in part, “calculating at least one measurement statistic for the particular pulse measurement type, wherein the at least one measurement statistic is calculated using the generated pulse measurements of the particular pulse measurement type for at least some of the plurality of pulses...” Applicants, therefore, respectfully submit that for at least similar reasons to those discussed above, independent claim 81 is likewise in condition for allowance.

10. Independent claim 96 recites, in part, “means for calculating at least one measurement statistic for the particular pulse measurement type, wherein the at least one measurement statistic is calculated using the generated pulse measurements of the particular pulse measurement type for at least some of the plurality of pulses.” Applicants, therefore,

respectfully submit that for at least similar reasons to those discussed above, independent claim 96 is likewise in condition for allowance.

Claim Rejections Under 35 USC 103(c)

11. The Examiner has rejected claims 1-29, 44-49, 51, and 53-65 under 35 USC §103(a). Applicants have canceled these claims, thus rendering the rejecting moot.

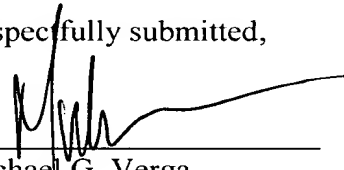
Dependent Claims

12. The dependent claims incorporate all of the subject matter of their respective independent claims and add additional subject matter which makes them a fortiori and independently patentable over the art of record. Accordingly, Applicant respectfully requests that the outstanding rejections of the dependent claims be reconsidered and withdrawn.

Conclusion

13. In view of the foregoing, this application should be in condition for allowance. A notice to this effect is respectfully requested.

Respectfully submitted,



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